THE VIRGINIA GAZETTE, & GENERAL ADVERTISER

RICHMOND:—PRINTED (EVERY TUESDAY AND FRIDAY) BY AUGUSTINE DAVIS, AT FOUR DOLLARS PER ANNUM—PAID IN ADVANCE.

NUMBER 981.] FRIDAY, MARCH 12, 1802. [VOLUME XVI.

RUNAWAY,

From the subscriber, on Friday last, a yellow man slave named

Anthony.

HE is about five feet eight inches high, twety-five years old, has a remarkable thick black beard, had on when he went away a short blue coat, bordered with red, with a red cape; he also took with him a variety of other cloathing; was formerly the property of Mr. Henry Gerard Latus, at the Bowling Green, where it is supposed he will attempt to go. He was born in Richmond county, and has acquaintances in Surry. Any person who will secure the above mentioned slave, or deliver him to me in this place, shall receive compensation adequate to the trouble, and all expences paid.

BEN: MOSBY.

Richmond, Feb. 8, 1802. tf

Robert & Allan Pollok & Co.

Are now receiving by the late arrivals from London, Liverpool, & Glasgow,

A GENERAL ASSORTMENT OF

DRY GOOD,

SUITED to the present and approaching Season, which they offer FOR SALE on moderate terms.

BUCHANAN & POLLOK,
Of Petersburg, and
ROBERT POLLOK & Co.
Of Manchester,

Are also now opening their Supplies of

FALL AND WINTER GOODS

Richmond, October 8, 1801.

THE CONNECTION between BERKELEY and DAVIS, at the EAGLE TAVERN, is dissolved this day. All persons having claims against them, are requested to make them known immediately.

Richmond, Feb. 16, 1802. 3w

New Millenery.

M. PHEPOE,

RESPECTFULLY informs the Ladies of Richmond and its vicinity, that she has received by the last arrivals from London and New-York, an elegant Assortment of MILLINERY, of the newest and most approved fashions, consisting of Circassian Turbans, Jockey Caps, Helmet Do. Dutchess of York's Whim, Buffoons, Cestus's, Feathers, Flowers, Wreaths, &c. &c. which are now open for their inspection, at the house occupied as a store by Mr. Henry M'Clatchy, upper end of the main street, near Shockoe Hill.

Richmond, Feb. 16, 1802. tf.

James P. Hopkins,

TAYLOR,

[OPPOSITE THE CITY HOTEL]

RETURNS his grateful thanks to the citizens of Richmond and its vicinity for the encouragement he has received, and assures them, that no exertion on his part shall be wanted to deserve their future favours, being provided with good workmen, he will be able to serve them on the shortest notice, with the newest fashions and his usual punctuality.

☞ Those of his country customers who are indebted to him, will serve him materially by immediate payment.

Richmond, Feb. 16, 1802.

For Freight or Charter,

The fast sailing new brig

TYGER,

now laying at Norfolk, burthen about 190 tons—will take about 200 Hhds. Tobacco, or 2000 Barrels Flour; is in complete order and ready to receive a cargo. For terms apply to

WILL. TEMPLE.

Richmond, 15th Feb. 1802.

Mrs. Davidson,

HAS REMOVED to the house lately occupied by Mr. Gorlier, next door to Mr. Robert Gordon, where she intends carrying on the business as formerly. She has received by the last arrivals from New-York, a handsome assortment of

MILLENERY,

With a variety of Gold, Silver, Silk, and Cotton Trimmings, which she will dispose of by retail.

Richmond, March 1st, 1802.

To the Freeholders of the Senatorial District composed of the counties of Henrico, Goochland, *and* Louisa.

FELLOW-CITIZENS,

WITH grateful acknowledgments for the honor you did me by my election as senator for the last term, and a consciousness of having discharged my duty to you and the commonwealth according to the best of my feeble abilities, I take the freedom through this medium to make known to you my willingness to serve the district for the ensuing term.—Should my former services be now rewarded by your approbation, the highest possible reward, I flatter myself that my future conduct will be correspondent with the true interest of my country and constituents—whilst I remain with grateful respect and esteem,

Your obt. humble servant,
THOMAS ROYSTER.

March 1st, 1802.

Old Dare-Devil

STANDS at my House in Chesterfield county on Appomatox river, fifteen miles above Petersburg, ten from the court house, and will cover mares by the season at Thirty-Five Dollars, ten of which will be remitted, if paid by the 10th of August, when the season expires. Mares may be fed with grain at twenty-five cents per day, which must be paid before they are taken away.—It is needless to swell the advertisement with his pedigree and performance, as they have been so often ascertained heretofore—Undoubtedly he was as fleet a horse as any in England in his day—as to his blood, it is from the first crosses; that is, Hered and Eclipse. Dare Devil's get speaks for themselves, as they are the best racers on the continent, which was made manifest by their run last fall. They won at Richmond, Petersburg, New-Brunswick, Hick's Ford, Norfolk, Warrington and Tarborough, besides at many other places. No responsibility for accidents.

THOMAS GOODE.

February 12, 1802.

N. B. One Dollar to the groom.

Sales at Auction.

THE subscribers again beg leave to inform their friends and the public, that being still desirous to close Sales of a considerable consignment of MUSLINS, consisting of elegant tamboured, printed, lappel, and printed shawls, amounting to £.1000 sterling, offer them at currency for sterling, for Tobacco, of good weights, of the Richmond or Manchester inspection, at 33s. per cwt. or approved notes, or acceptandes, at 6 months.

PROSSER & MONCURE, V. M.

P. S. Will be sold on the premises, on Saturday the 20th March, at 12 o'Clock, A. M. for approved Notes at 6 days, One Square LOTS, on Shockoe Hill, within the corporation of the city, and known by the Nos. 59, 60, 67 and 68, in Wm. G. Payne's platt, dated 10th January 1799.

Also—One Lot, known by the No. 631, adjoining the Lots of Mr. Patrick Gibson.

P. & M. V. M.

Richmond, Feb. 22, 1802.

For Sale, at Auction,

On Tuesday, the 16th instant, on the Cross Street next below the Eagle Tavern,

THE FOLLOWING ARTICLES, *viz:*

4 Bales Negro Cotton;
50 Pieces do.
100 do. India Cotton;
1 Trunk Tambor'd and Jaconet Muslin;
1 do. Book Muslin;
Callimanco, Leather and Morocco Slippers;
And a variety of other articles.

For Cash.

4 Pieces Drab and Mixt Cassimeres;
9 do. 7-4 Green & Mixt Coatings;
5 do. Double & Single Cloths;
1 Bale Kendal Cottons;
30 Pieces do.
20 Pieces White Plains;
10 do. Coarse Cloths;
40 do. Bath Coatings.
20 Hhds. Brown Sugar;
20 do. 3 & 4 proof Antigua Rum;
50 Bags Coffee;
15 Boxes Soap;
3 do. Glass Ware, &c. &c.

For approved Notes at 6 Mos.

At 4 Mos. At 60 days.

Thomas Taylor, V. M.

March 1st, 1802.

Notice!

WHEREAS the House of HOOPER & TOLLER has conveyed to us as Trustees for the benefit of its Creditors, the whole of its Stock and Merchandize in trade, and all its outstanding debts: We therefore give notice to those indebted to said firm, that they are to make payment to us alone.

Robert Gamble,
James Brown,
Charles Macmurdo.

Richmond, 1st March, 1802. 4w.

Hampden Sidney,

January 22, 1802.

THE TRUSTEES of the College wish to inform the public, that the buildings are in good repair for the reception of Students; and that the Rev. Archibald Alexander, who some months ago gave up the charge of the College as President, has consented to return, and has been re appointed to that office. 4w

The Thorough Bred Horse,

Americus;

WILL Stand at my stable the ensuing season, and will cover mares at the moderate price of Twenty Dollars the season, Eight Dollars the leap, or Thirty-Two Dollars to insure a mare being with foal, and in either case, Half a Dollar to the Groom. The leap money to be sent with the mares, notes for the season must be sent with the mares also; but the twenty Dollars may be discharged by the payment of sixteen, on or before the last day of July, at which time the season will expire. The season will commence on the 25th day of March. Mares will be fed with grain if required at the market price; rich and extensive pasturage, and the board of boys gratis—all possible care taken of mares, but no responsibility for escapes or accidents.

AMERICUS

Was got by Shark, his dam by Wildair, his grand dam by Vampier, out of col. Braxton's imported mare Kitty Fisher.—Wildair was got by Fearnought, Fearnought by Regulus, Regulus by the Godolphin Arabian. Kitty Fisher was got by Cade, which was got by the Godolphin Arabian. Americus' dam was the dam of Melzar, Kitty, Medley, and Minerva, and his colts are excelled by no horses on the continent, and there is no doubt that they are of the best stock in America.

John Hoskins.

King & Queen, Feb. 12, 1802.

Wanted as a Tutor,

IN a private family, a person who is capable of teaching the English and Latin Languages, also writing and arithmetic. Such a one who can come well recommended, as to his sobriety and good demeanor will meet with generous encouragement. Apply to the printer hereof.

Feb. 15, 1802.

FOR SALE

A Tract of Land,

IN AMHERST county, (commonly called the New-Glasgow tract,) containing 431 acres, about half of which is cleared. It lies within 13 miles of two inspections of Tobacco, on James river, and two of a Merchant Mill, in an agreeable neighborhood, and is a remarkable healthy situation. The improvements are a framed Dwelling House, (for many years occupied as a Tavern) with 8 rooms and a lengthy Portico, and every necessary out house; a framed Store house, with 5, including two shed rooms, with a brick chimney; 2 framed houses, with brick chimneys, coetaining two rooms each; a dwelling house built of hewed logs, with a plank floor, 2 rooms below, and a stone chimney. On the same lot with this last building is a good shop for a tradesman and some necessary out houses; an orchard of near 200 choice bearing Apple trees, beside various other kinds of fruit trees, and a well enclosed garden. This land will be divided to suit purchasers, if a sale of the whole can be ensured. It will be shewn by Mr. *Richard Herndon*, living near it, and the terms made known by the subscriber, residing near Warminster, to any person inclinable to purchase. If it should not be disposed of before the 17th (it being the third Monday) of May next, it will on that day, be sold at Amherst Courthouse, to the highest bidder, on a credit of 2, 4, and 6 years, for one third of the money respectively, when further particulars and conditions respecting the sale will be made known by

Will. Cabell.

February 15, 1802. 1aw 6t.

Patent Balances.

THE patentee of this very useful invention (which unites the accuracy of scales to the conveniency of steelyards) has sent a few pair to the subscriber, for sale.

They are of different sizes, weighing from a quarter of a pound to one hundred, from one pound to three hundred, and from ten pounds to three thousand weight. They are found to answer all the purposes of weighing with the greatest precision; insomuch that they are used generally in Boston, not only by the merchants, but at the custom-house, and by all the public officers of the state of Massachusetts, their use being authorized by an act of that Legislature. From experiments made here they are found to be correct by the standard, which together with their convenience must give them a great preference to anything of the kind now in use.

E. W. ROOTES.

March 8, 1802.

Public Sale.

By order of Mr. Robert Pollok, on the premises in Manchester, on the 15th April next, that

Brick Tenement,

WITH ITS APPURTENANCES, at present in the occupancy of Messrs. *Robert Pollok & Co.* Terms of sale, 12 months credit—bond with approved security. Mr THOMAS TREADWAY will, on application, shew the premises.

Prosser & Moncure, V. Ms.

March 4th, 1802.

MARSHAL's SALE.

ON Thursday the first day of April next, 1802, on the plantation where col. William Fleming now resides, in the county of Chesterfield, WILL BE SOLD, to the highest bidder, for Ready Money, the following property, viz.

THIRTY-TWO SLAVES;

Davy, Young Davy, Dover, Will, Toney, Harry, York, Little York, Lucy, Patty, Polly, John, London, Maria, Amy, Charles, Beckey, Spencer, Doily, Nelly, Sam, Frederick, Jany, Betsey, William, Simon, Jemmy, Nelly, Sally, Violet, Violet, and Dick.

STOCK.

Eight Horses, forty head of Cattle, including three yoke of Oxen; forty old Sheep, twenty-four Lambs, and twenty-five head of Hogs.

CARRIAGES.

One Coachee, one Horse Tumbril, and one Ox Cart.

HOUSEHOLD FURNITURE.

One double keyed Harpsicord, two Dressing Tables, two Book Cases, two Cloths' Presses, one Desk, two Dining Tables, two Side Boards, three Looking Glasses, three dozen Chairs, two large painted Buffets, with glass doors; six Beds and Furniture, four Carpets, one large Rum Case, with bottles, holding 24 gallons; and a great variety of Glass and China Ware, with a number of other articles too tedious to enumerate.

BOOKS.

Encyclopædia, American edition. 18 vols. Lock's Works, complete; Moll's Geography, folio; Borchave's Chymistry, Cullin's Materia Medica, Ditto Practice of Physic, with Rotherham's Notes, 4 vols. thirteen vols. of Pope's Works, nine vols. Plutarch's Lives, 6 vols. Rollin's Bell Letters, four vols. Cicero's Orations, three vols. Ditto Letters, three vols. Ditto Epistles to Atticus, two vols. Ditto Morals, two vols. Montesque's Spirit of Laws, two vols. Sidney on Government; and a great variety of other valuable books.

The property of William Fleming, taken to satisfy an execution which issued on a judgment obtained late in the Court of the United States, for the Middle Circuit, in the Virginia District, by Thomas Main, executor of John Hyndman, who was surviving partner of James Buchanan and Company, against the said William Fleming.

Among the Negroes named in this advertisement, there are several valuable Carpenters and House Servants.

The sale will commence at eleven o'clock on the day and at the place above named, and will continue from day to day until the whole of the above property is sold or so much thereof as will satisfy the above mentioned execution and the legal costs.

Joseph Scott.

Marshal E. V. D

HOUSE of REPRESENTATIVES OF THE UNITED STATES.

February 17.

Debate on the bill received from the senate, entitled "An act to repeal certain acts respecting the organization of the courts of the United States"

(CONTINUED.)

[*Mr.* THOMPSON's *Speech concluded from our last.*]

I ask the hon. gentlemen from North Carolina (Mr. Henderson) if he was present when this law was passed? By a recurrence to the journals I find he was. Where then were those tender sensations which he yesterday expressed with such exquisite sensibility? Why did he not feel them a year ago when by his eloquence and by his vote he might perhaps have prevented a violation of the constitution which he so justly esteems? I call upon that gentleman to know why, when this fatal stab was giving to this constitution he did not, with vehement *fervor ery spare, oh spare the constitution of your country?* Was this then his cry? Does he then feel those sensations which he expressed yesterday? Did he then say that *if this law is passed I will not heave a sigh nor drop a tear over this expiring constitution?* No, he did not, but he yesterday uttered these words. But a year ago we find that, with the consent of that sympathetic gentleman, the devoted victim, the constitution, was immolated, and this bill issued from the gaping wound whose blood will forever stain the pages of this statute book.

Much has been said about the small expence of this *stupendous fabric*, the judiciary system of the United States. Coming as I do, from a country where justice is well administered, at a very small expence, it is no wonder that I should call into the view of the house the example, which just looking across the Potomack is exhibited to our view. Seeing how justice is administered in that extensive state, and how little money is appropriated for it, I again say I must be excused for expressing my astonishment, when I behold the large amount appropriated to this particular department of the general government. Yesterday, the gentleman from Pennsylvania told us, that the whole amount of causes now pending on the dockets of the several courts of the United States, amounted to about 1600. He enquired whether, after the passage of this bill the present judges would be adequate to the discharge of all those duties which that immense number of causes exhibited, scattered over the whole United States. I answer in the affirmative. I can inform that gentleman, and the committee, that in the country where I live, one venerable citizen of seventy years of age, performs more duties in the course of one year, than all the judiciary corps of the United States. There I behold this venerable man, sitting in his court in the simple plain garb of a common citizen, administering justice and commanding respect, and receiving as the reward of his labours, but 1500 dollars a year. By documents, now in my possession, I find that he has now suits untried to the vast amount of 2,627.—The court I mean is the high court of chancery in Virginia. (Mr. Thomson here read a transcript from the docket)—In this court, perfect satisfaction and contentment is given. From this reference I infer, that if one court, held by one man of the age of 70, is adequate to the performance of all the duties of that court, with satisfaction, certainly six will be competent to the discharge of all the duties required from the undecided 1600 causes throughout the United States.

The gentleman from North-Carolina, yesterday told us, that when the convention of the people were forming the constitution, they did not delegate the power of legislation to the house of representatives alone; they establish the senate as a check upon the house of representatives; and after all, knowing the impulses which often might agitate assemblies, has given to the executive a power to negative the laws. It then becomes necessary to establish a third department, the judiciary, not noding their offices during pleasure.—Was it the intention of that gentleman to make the judiciary department then, to act as a check upon the legislature? I this be the meaning of the gentleman, I am by no means agree with him, that such a power is delegated to this department by the constitution. I have examined the constitution with a scrutinous eye for this very purpose, and I cannot find any in that instrument giving such a check. I can find nothing to support the doctrine held by judge Patterson, and read as an authority by the gentleman from Pennsylvania. I there perceive every thing concuring to support the doctrine that the legislative, executive, and judicial departments of our government shall be kept separate and distinct. Allow this doctrine of a check to be the faculty of your judiciary, and their inherent right, and clothe your judges with what I am told is con-

ted for, to wit, that the common law of England is attached to the constitution: then, in vain do you meet on this floor. all your power is deposited with this part cular irresponsible branch of your government. How are we to apply this common law principle? Are we to adopt the common law with all its horrible deformities, without the aid of statuary amendments? How are we to apply this to our governments? If this check is established, then surely they have a right to legislate. They will, the moment they are vested with this power, say to you, *stop, your law is unconstitutional, it shall not be carried into effect*. They will say in the strong language of judge Patterson, "I hold it to be the duty of the court, in this case, to make the law *null and void*." Sir, I must confess that when doctrines like these are spread with official dignity, I confess that it calls up to my mind those vivid pictures called into view by the gentleman from North-Carolina. Till I heard doctrines like these I never heard of too much power existing in the legislature. I never was apprehensive of that power, because I knew that the legislature were responsible to the people for their behaviour, and that they would not be returned if they had assumed this power. How differ it this from the state the judges are said to hold; they are said to be independent, holding their offices during good behaviour, and having no responsibility. But how independent soever—where will you see the words in the constitution giving the power to the judiciary, a power to declare your law null and void. There are, however, to be found, two particular sections of the constitution, from which, perhaps this power might have been assumed by implication.

In art. 3, sect. 2, are the words "the judicial power shall extend to all cases, in law and equity, arising under this constitution, the laws of the U. States," &c. But can this be construed to apply the power to judge of the constitutionality of the laws? It appears to me not—it appears to me, that certain cases may arise under this constitution, which are separate and distinct from the laws of the United States, or under the laws of any particular state, or respecting any foreign nation, which must require the interference of the courts of the United States, and their opinion upon that constitution and laws. There may be cases wherein the legislature may pass unconstitutional laws, such as passing ex post facto laws, granting titles of nobility, making laws respecting the establishment of religion, &c. Or cases may arise wherein a state might emit paper money, &c. Of these infractions the judiciary have power to judge. But except in such case, what power over the constitution can exist in the judiciary? By the constitution none. Art. 6, No. 2, is another particular, which might be relied upon. "This constitution, and the laws of the United States, which shall be made in pursuance thereof, and all treaties made, or to be made, under the authority of the United States, shall be the supreme law of the land, and the judges, in every state, shall be bound thereby." This can be supposed to be no other than a direction to the judges of the individual states, and cannot possibly apply to the assumed power of the judges over the constitution. It is impossible, that any judge whatever, can prove by the constitution his power to put a negative upon any law whatever, and yet we find judge Patterson declaring a law *null and void!* So excessively dangerous is this principle, and so undignifying that I could not have formed the idea, that any representative of the people, within these walls, would ever have pretended to have given up this power with which the constitution and his constituents vested him. Sir, I am satisfied, that if we sanction this doctrine, despotism, the most horrid that ever prevailed in any country, will prevail in this country. I would rather, for my part, live under the government of one lenient tyrant, than under the arbitrary sway of a court, constituted with these powers. Sir, when a court shall assume this high hand of power, and declare themselves above your laws, what are we to think? Are we not to be jealous that a court making such declarations, is a tree where despotism lies concealed? I consider this, Mr. Chairmrn, an auspicious moment to lop away this poisonous branch, and thus save the tree. But nature it; give it a legislative sanction, and what will its operation be? It will soon overshadow your republic; your soil will be too sterile for its growth, it will contaminate your air, spread disease around it to a distance co-extensive as our limits, and your soaring eagle will fall dead with its poison.

Mr. DAVIS, (of Kentucky) had hoped that when the public mind was so calm, and the appearance of political prosperity so auspicious, the national legislature would have gone into the subjects of reduction of expence with coolness and with a general desire to promote unanimity. Upon this subject he rose with considerable diffidence, knowing his incapability to discuss a subject of the importance which this appeared to be. But however unwilling to venture his weak talents upon a subject of this nature, he could not help rising when an honorable gentleman (Mr. Henderson) had expressed himself that we had better bury our hopes, for that on the 7th December last, that spirit which rode on the whirlwind, and directed the storm, on that fatal seventh of December, this dread spirit appeared, and swept away every vestige which could render hope an anchor to rest on. When alluding to this spirit he was at a loss to know whether the gentleman did not allude to the spirit which four years ago talked of bringing us into 'dust and ashes' for our conduct upon the then subjects of legislation. In the discussion of an important question like the present, Mr. Davis thought it would have become the hon. member to have confined himself to the subject, and to say what good the laws which the proposed one had done. It would have been more consistent for him than to have traversed the ocean and the American history for the wonderful atchievements of party, and the degradation of nation whom the great Washington speaks of as a brave, as a wonderful people; as a people of whom he could not embrace the powers of language enough to express. In this this strain of appeal to the passions rather than to the reason of the honorable members who heard him, did the gentleman proceed through all the proceedings of the present session, stating that every thing which is valuable was to be abolished. Did the gentleman say what was the effect of the internal taxes which it has been proposed to repeal, and which then he hinted such attachment to? Did he not know that they had armed citizen against citizen, and state against state, and that generally they were abhorrent to the people of this country? The destruction of the establishment called the mint was also an eye sore with him; for what? Are we to be blamed for knocking down the mint, which was the majesty of the American people, as the gentleman says, when it appears from our documents that it costs the nation an immense sum of money? He tells us, sir, that we are about to prostrate the constitution. If this be the case, it will be dreadful indeed. But even if the prostration of the constitution is begun, where, I pray the gentleman to say, did it first begin? Sir, I contend that it first began in the other side of the house—I contend that they have passed provisions in this law which are diametrically opposite to the constitution. This the gentleman who preceded me has evidently shewn, to prove this farther I would beg leave to refer gentlemen to the 2d section, and a comparison of that section with the constitution art. 3, sect. 2, No. 2. wherein the supreme court are vested with original jurisdiction. And yet upon this section, did the honorable gentleman build for the support of his doctrine. Farther, the gentleman called the engagement of the judges when they took their oaths and seat at the bench, and the government who made the appointment, a contract. What kind of a contract is it? And to what extent will this doctrine lead? The contract is said to originate in the words 'he shall hold his office during good behaviour' surely here the judges must be bound equally with the government: if these words make it obligatory on the government to keep the judges during life (for that must be considered as the term 'good behaviour') it certainly also takes from the judge the power of reigning his office. This has never been contended as obligatory; nor can the other with more propriety. He must, by the same parity of reasoning, commit some misbehaviour to resign. But, sir, the principle is altogether incorrect; as one is absurd, the other is ill-construed; and no such tenure exists in the way explained by those gentlemen.

The gentleman then proceeds to comment on the continuation of the words 'and shall at stated times receive for their services a compensation,' &c. It is remarkable here that the word *compensation* is not attached to the word *office*, but to the word *services*; probably implicating that if no service is performed, there shall be no compensation. But the constitution goes farther and says, 'which shall not be increased nor diminished during their continuance in office.' These words evidently refer to the fulfilment of certain duties, without the execution of which there is no authority to give a salary. These ideas prove to my satisfaction that we are not treading upon unconstitutional ground while repealing the judiciary law. The gentleman from Pennsylvania told us that congress had a right to admit states into the union, but had not a right to repeal the law providing their admission, and thence inferred that there could be laws passed which congress could not repeal, of which this judiciary system was one. This, sir, is a very different case; when a state is admitted into the union the law has had its full effect, and the thing being done, the same nor any other power cannot annul it: but suppose we should by a law say that a certain territory belonging to the United States should be admitted as a member of the union in the year 1806, what can be in operation till that period? None at all. Congress could exercise the power over that law until the period of its operation. Citizenship is another case of the same nature; after the act of citizenship has operated upon any individual, in vain would any attempt be made to repeal the law under which that act was executed; the legislature could not undo it.

But the honorable gentleman (Mr. Hemphill) was not very correct in the grounds he took on which he erected his arguments. Although he uttered a very ingenious speech, we find him presupposing the advancement of arguments which those who read it will suppose were grounded on some preceding his. But where are they? Not to be seen, except perhaps some which were uttered in the senate chamber. This reminds me of an adage 'that he who runs by himself is always sure of winning.' He was sure of the advantage of the argument. It reminded me of a boy who was fighting with the shadow which himself had raised. Art. 1st. sect. 8, No. 18, we find that congress 'shall have power to make all laws, which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the U. States.' Now sir, we pledge ourselves to prove that to repeal a certain law of the last session, we are providing for the general welfare, a duty also incumbent on us, and that it is within the scale of our implied powers so to do. To say that one legislature should have power to pass a law, and that another legislature should not possess power to repeal that law, would but illy comport with the extensive undefined powers confirmed by the above recited section. But, this we are said to be prevented from by the constitution. Sir, I think it a very different thing to turn out a judge and to vacate the office of a judge. The law creates the office—this office is filled, not by us, but by the president and senate; we find this law to be useless, and therefore by the general powers granted to us, have power to repeal it notwithstanding the consequence of that repeal, might operate to put out of office some of the judges. It is said that this expence is but as the dust of the balance; but as a speck in the great scale of appropriations made for the support of government. It was not, Mr. Davis said, upon the ground of expence, that he opposed the system; it was upon the general ground of its inexpediency. He opposed it upon the grounds for which these judges were said to be raised, to wit: to guard the people against their worst enemies, themselves; and consequently against the legislature which they had formed. As much as though the gentleman had said to the people, you are incapable of protecting or conducting yourselves, we will secure you by the appointment of judges. And how does he mean to secure to these judges a perpetual existence of office? Why by passing laws respecting them, or for increasing their number at one triumphant session, and ever after pleading the impossibility to repeal those laws!—Sir, this is a principle I never will submit to. He would not say it was the case at present, but certainly the time might come when we might have knaves or fools for some of our judges, and would the gentlemen thus fortify them from legislative assault and render their office, as well as their person, impenetrable? It was yesterday remarked that our government was divided into three distinct and separate parts or departments. How have these departments acted? Why according to the doctrine of these gentlemen, one of these departments has the power, as Judge Patterson said, to declare the laws of the other two *null and void*. Sir, I will not hesitate to declare, that judge Patterson did interfere with power not committed to him by the constitution. Sir, a powerful reason why we should, and actually do possess this power of repealing a law of the kind in question is, that, as our government must be supported by the opinion of the people to a certain extent, we ought to form our laws according to the will and wishes of those people. When a law extending the power of the judiciary as well as their number, was passed, and this department filled with men of opinions conforming to the wishes of the executive, and afterwards these people should think proper to change men and measures, is it not a consistent idea, to suppose that congress, the immediate representatives of the people, should conform to their will? He believed this to be a correct doctrine. Mr. Davis said, he rose to make those few loose observations to shew his opinion that there was no danger to be apprehended of a breach of the constitution in this act. and also to prove that the law proposed to be repealed was actually unconstitutional in two of its sections, the 2d and the 27th.

Mr. BACON said, he should not have risen at this time, if at all, to speak on this subject, were it not for the unusually backwardness which appears in gentlemen to rise. He declared his sincere determination to speak nothing on the present question, which he did not most sincerely believe to be true, whether those observations he meant to make to the committee, might or might not accord with those of gentlemen with whom he had the honor generally to agree. The opinions of others were not to be a rule for him, as he must think for himself, and act accordingly.—Mr. Chairman, I will in the first place observe, that it is a settled opinion with me, an opinion which I have maturely weighed in my own mind, and whatever conclusions may result, I must still adhere to it, until otherwise convinced; that judicial officers of every grade, from the judge of the supreme court of the United States, down to the common justice of the peace, in every particular state, not only have a right, but are bound to judge of the constitutionality of the acts of congress, so far as they are called, in their respective spheres, to act upon them, and if any particular statute is found to be contrary to the constitution of the United States, it is their duty, and they are bound by their oaths of office to reject the statute, and to adhere to the constitution as the supreme law of the land; which is to controul all other human laws within the U. States.

In this bill two important queries are involved:

1. Is it constient with the constitution?

2. Is it expedient to repeal those acts?

Before I proceed to speak directly to either of these questions, I must take the liberty to advert to an important observations made yesterday, by the honorable gentleman from Pennsylvania, (Mr. Hemphill) In this very decent and ingenious speech, with which he then favoured the committee, he gave an explanation of the terms office and court.—Indeed very much depends, as I conceive, on fixing accurate ideas to these particular terms. Until this is done, that part of the constitution which applies to the present subject, must remain in a great measure unintelligible, at least to me. Fixing the true meaning of these terms will, I conceive, go far towards solving any doubt that may exist relative to the constitutionality of the bill. This idea, there is reason to believe, did not escape the discerning mind of that worthy gentleman, when he observed, that "that office consists in certain power, jurisdiction, and authority, conferred on a person, requiring certain duties. The court, the name of the institution in which that office is to be exercised." The name of the court may be changed, and also the place where first holden, and the office to be exercised in another place." Those were his words.

I fully accede to his explanation of the term *office*, but very much doubt the correctness of his explanation of the term *court*, as it is used in the constitution. And I am not certain but that the question of constitutionality will very much depend upon the idea that is affixed to this identical term. I believe the term *court*, as it is used in that instrument, means something more than a mere *name*. Although I will not undertake to give an authoritative and perfectly correct explanation of the term, yet I may venture to say, that, as invariably used in the constitution, and in the law proposed to be repealed, it seems to convey the idea of an *institution ordained and established* for the legal administration of justice. Those things termed *courts* in the constitution are vested with *power*, and are to *exercise jurisdiction*, original and appellate. These are attributes which, to my mind, indicate something more than what is merely *nominal*. I have considered *courts* as being composed of *persons* vested with *power, jurisdiction, and authority*, and of whom *certain duties* are required, that is as being composed, or consisting of *officers*, particularly of *judges*. And I am apprehensive that it would be not less difficult to conceive of a court, in the meaning of the constitution, as existing without officers, than it would to conceive of a legislature without legislators, or of an officer without an office. If this is not a true, and the only correct explanation of the term *court*, as used in the constitution, and in the act referred to in the present bill, I shall wish to hear it otherwise explained. If the explanation is just, I believe it will be found in the sequel of debate, to go far towards a determination of the question relative to the constitutionality of the bill now under consideration.

I will now, sir, proceed to speak directly to the subject of the bill; and will consider in the first place, the *constitutionality* of repealing the acts therein referred to.

If it should be found unconstitutional to repeal those acts, no consideration of *expediency* ought to have the least weight. As to the mere constitutionality of the measure, I am am apprehensive this will be found not to be a question of vast intricacy and inexplicable doubt, unless we are disposed to make it such.

There are some things relating to this question, and which may tend in some measure to illustrate the subject about which there can be no reasonable doubt. It will probably be admitted that the constitution does not *require* the legislature to furnish business sufficient to employ the time and talents of all the judges, of all the courts of the United States, let their numbers be ever so great. It will probably be also admitted that they are not *prohibited* by the constitution from so amending and altering the laws from time to time, as may, on the one hand, tend to diminish, and on the other, to increase the business to be transacted in our judiciary courts respectively, nor are they restricted from transferring business from one judiciary court to another. And if the legislature may, by way of transfer, or otherwise, diminish, or withdraw one part of the business from a judiciary court, they may, on the same general principles, withdraw another, unless specially restricted by the constitution. Consequently, they may, if they see fit, withdraw the whole in the same way.

All this, it is believed, will not only be readily admitted; but that precedents, for the actual exercise of that power of the legislature which is here mentioned, are abundantly furnished in the act itself, which it is proposed to repeal. And a better authority, in this particular case, cannot possibly exist than what is furnished by this act. It is an authority which can neither be explained away, nor misunderstood. It may with propriety be said, that in this particular case it is an authority *sui generis*—it is indeed equal to all others, because, if I am not mistaken, it absolutely and unequivocally determines the question relative to the constitutionality of the present bill. I should, for myself, be willing to rest the issue entirely upon this ground. This is the principal ground I shall take.

By section 10, of this law, the powers in general which, by the late law, were vested in the former circuit courts, are transferred from those courts to the circuit courts which are established by this law.

By section 20, it is expressly provided that "all actions, suits, process, pleadings, and other proceedings, of what nature or kind whatever, depending or existing in any of the *present* circuit courts of the United States, or in any of the present district courts of the United States, acting as circuit courts, shall be, and hereby are, continued over to the circuit courts *established by this act*."

By section 11, it is provided that the circuit courts established by this act shall have cognizance of a great number of actions which were not in like manner cognizable before the former circuit courts, viz. "of all actions cognizable by the judicial authority of the United States, where the matter in dispute is between four and five hundred dollars."

By the 24th section it is "enacted that the district courts of the United States, in and for the districts of Tennessee and Kentucky," in particular, "shall be and hereby are *abolished*."

By the 27th section "it is further enacted," generally, "That the circuit courts of the United States, *heretofore established*, shall *cease* and be *abolished*."

Here we are *furnished* with a precedent for abolishing, by a single legislative act, all the judicial courts of

a certain deſcription throughout the United States.

In ſhort, ſir, the preſent circuit courts are not only veſted with powers different from the former circuit courts, but they are compoſed of different men; and that, while the former judges of thoſe courts are ſtill living—*during their good behaviour*, and without their reſignation, impeachment, or conviction.

(Mr. Bacon's ſpeech to be concluded in our next.)

TUESDAY, March 2d, 1802.

The Houſe proceeded to conſider at the clerk's table, the bill ſent from the Senate, intituled "an act to repeal certain Acts reſpecting the organization of the courts of the United States." Whereupon,

A motion was made and ſeconded, to ſtrike out the firſt Section of the ſaid bill. And on the queſtion thereupon being put, it paſſed in the negative—yeas 50—nays 55.—The yeas and nays, were as follows:

YEAS—Meſſrs. Js. A. Bayard, Ths. Boude, Jn. Campbell, Manaſſeh Cutler, Sam. W. Dana, Jn. Davenport, Abiel Foſter, Calvin Goddard, Roger, Griſwold, Seth Haſtings, Joſeph Hemphill, Arch. Henderſon, Wm. H. Hill, Benj. Huger, Ths. Lowndes, Lewis R. Morris, Jos. Pierce, Ths. Plater, Nathan Read, Jn. Rutledge, Wm. Sheppard, Jn. Stanley, Benj. Tallmage, Sam. Tenney, Ths. Tillinghaſt, Geo. B. Upham, Kilian K. Van Renſſelaer, Peleg Wadſworth, Lemuel Williams, Hen. Woods,—50.

NAYS—Meſſrs. Willis Alſton, Jn. Archer, Jn. Bacon, Theodorus Bailey, Phanuel Biſhop, Rob. Brown, Wm. Butler, Sam. J. Cabell, Ths. Claiborne, Mat. Clay, Jn. Clopton, Jn. Condit, Rich. Cutts, Ths. T. Davis, Jn. Dawſon, Wm. Dickſon, Lucas Elmendorf, Ebenezer Elmer, John Fowler, Wm. B. Giles, Edwin Gray, And. Gregg, Jos. Heiſter, Wm. Helms, William Hoge, Jas. Holland, David Holmes, Geo. Jackſon, Char. Johnſon, William Jones, Mich. Leib, Jn. Milledge, Ths. Moore, Js. Mott, Anthony New, Ths. Newton, junr. Jn. Smilie, Jn. Smith, (of New-York) Jn. Smith, (of Virginia) Joſiah Smith, Sam. Smith, Hen. Southard, Rich. Stanford, Jos. Stanton, junr. Jn. Stewart, Jn. Taliaferro, jun. David Thomas, Philip R. Thompſon, Abraham Trigg, Jn. Trigg, Phil. Van Cortlandt, Jn. P. Van Neſs, Jos. B. Varnum, Iſaac Van Horne, Rob. Williams.——55

Another motion was made and ſeconded, to amend the bill, by adding to the 1ſt ſection the following words. "Except ſo much of the forty-firſt ſection of the ſaid act, as provides for the augmentation of the ſalaries of the diſtrict judges of Kentucky and Tenneſſee." And on the queſtion thereupon being put, it paſſed in the negative; yeas 40; nays 53. The yeas and nays were as follows:

Yeas. Meſſrs. Jas. A. Bayard, Thos. Boude, Jn. Campbell, Manaſſeh Cutler, Sam. W. Dana, Jn. Davenport, Thos. T. Davis, Jn. Dennis, William Dickſon, Ebenezer Elmer, Wm. Euſtis, Abiel Foſter, Calvin Goddard, Roger Griſwold, Wm. B. Grove, Seth Haſtings, Jos. Hemphill, Arch. Henderſon, Wm. H. Hill, Ben. Huger, Ths. Lowndes, Ebenezer Mattoon, Lewis R. Morris, Jos. Pierce, Thos. Plater, Nath. Read, Jn. Rutledge, Wm. Sheppard, Jn. C. Smith, Jn. Smith (of New York) Jn. Stanley, Jn. Stewart, Ben. Tallmage, Sam. Tenney, Thos. Tillinghaſt, Geo. B. Upham, Kilian K. Van Renſſelaer, Peleg Wadſworth, Lemuel Williams, Hen. Woods. 40.

Nays. Meſſrs. Willis Alſton, Jn. Archer, Jn. Bacon, Theodorus Bailey, Phanuel Biſhop, Rich. Brent, Robert Brown, Wm. Butler, Sam. J. Cabell, Thos. Claiborne, Mat. Clay, Jn. Clopton, John Condit, Rich. Cutts, Jn. Dawſon, Lucas Elmendorf, Jn. Fowler, Wm. B. Giles, Edwin Gray, And. Gregg, Jos. Heiſter, W. Helms, Wm. Hoge, Jas. Holland, David Holmes, Geo. Jackſon, Char. Johnſon, Wm. Jones, Mich. Leib, Jn. Milledge, Sam. L. Mitchel, Thos. Moore, Jas. Mott, Anth. New, Thes. Newton, jun. Jn. Randolph, junr. Jn. Smilie, Jn. Smith, (of Virginia) Joſiah Smith, Sam. Smith, Hen. Southard, Rich. Stanford, Joſeph Stanton, jun. Jn. Taliaferro, jun. David Thomas, Phil. R. Thompſon, Abraham Trigg, Jn. Trigg, Philip Van Cortlandt, Jn. P. Van Neſs, Jos. B. Varnum, Iſaac Van Horne, Robert Williams. 55

Another motion was made and ſeconded, to amend the bill, by inſerting after the words "one thouſand eight hundred and one," in the fifth ſection thereof, the words following, to wit: "if the ſame be returnable after the ſaid firſt day of July next." And on the queſtion being put, it paſſed in the negative, yeas 37, nays 51.

Another motion was made and ſeconded, to amend the bill, by adding to the end thereof a new ſection, in the words following, to wit;

"*And be it further enacted*, That all proceedings of a criminal, penal, or a civil nature, which have been commenced in the circuit court created and eſtabliſhed by the act firſt herein mentioned, and whereof the circuit courts exiſting prior to the paſſing of the ſaid act, had not cognizance, ſhall be cognizable in the circuit courts revived by this act, and may be proceeded in the ſame manner and with the ſame effect, as they could have been in the circuit courts eſtabliſhed by the aforeſaid act." And on the queſtion thereupon being put, it paſſed in the negative, yeas 39, nays 49.

Another Motion was made and ſeconded, to amend the bill, by adding to the end thereof, a new ſection, in the words following.

"*And be it further enacted*, That all ſuits, proceſs, pleadings, and other proceedings of what nature or kind ſoever, depending in the circuit court in the Diſtrict of Ohio, and which ſhall have been commenced within the territory of the United States, North-Weſt of the river Ohio, ſhall be, and hereby are, from and after the firſt day of July next, continued over to the ſuperior court of the ſaid territory, next thereafter to be holden; and all other ſuits, proceſs, pleadings and other proceedings of whatever nature or kind ſoever, depending or exiſting in the circuit courts of ſaid Diſtrict, ſhall be, and hereby are, from and after the firſt day of July next, continued over to the next ſuperior court of the Indiana territory of the United States, next thereafter to be holden."

And on the queſtion thereupon being put it paſſed in the negative—yeas 37—nays 52.

Another Motion was made, and the queſtion being put, that the ſaid bill be recommitted to a ſelect committee to conſider and report thereon, to the Houſe; it paſſed in the negative—yeas 36—nays 55.

Another Motion was made and ſeconded, to amend the bill; by adding to the end thereof, a new ſection, in the words following.

"*And be it further enacted*, That in all caſes, in which proceedings ſhall, on the ſaid firſt day of July next, be pending under a commiſſion of bankruptcy iſſued from a circuit court, or a circuit judge, in purſuance of the aforeſaid act, intituled "an act to provide for the more convenient organization of the courts of the United States," the cognizance of the ſame ſhall be, and hereby is, transferred to, and veſted in the Diſtrict judge of the diſtrict within which ſuch commiſſion ſhall have been iſſued." And on the queſtion being put, it paſſed in the negative—yeas 33—nays 56.

Another Motion was made and ſeconded, that the ſaid bill be read the third time on Monday, the fifteenth inſtant; and on the queſtion being put, it paſſed in the nagative.

Another Motion was then made, and the queſtion being put, that the ſaid bill be read a third time, on Monday next; it paſſed in the negative.

And then the Queſtion being taken, that the ſaid Bill ſhall be read the third time To-morrow,

It was Reſolved in the affirmative.

WEDNESDAY, March 3, 1802.

The Judiciary Bill was read the third time, when Mr. Lowndes moved its poſtponement till the 1ſt Monday in December next.

On which a debate of conſiderable length enſued—when the queſtion was taken by Yeas and Nays, and loſt Yeas 32—Nays 59.

The main queſtion was then taken on the paſſage of the bill by Yeas and Nays—Yeas 59—Nays 32.

YEAS.

Meſſrs. Alſton, Archer, Bacon, Bailey, Biſhop, Brent, Brown, Butler, Cabell, Claiborne, Clay, Clopton, Condit, Cutts, Davis, Dawſon, Dickſon, Elmendorf, Elmer, Fowler, Giles, Gray, Gregg, J. Heiſter, Helms, Hoge, Holland, Holmes, Jackſon, Johnſon, Jones, Leib, Milledge, Mitchell, Moore, Mott, New, Newton, Nicholſon, Randolph, Smilie, J. Smith, of N. Y. J. Smith, of Virg. Jos. Smith, S. Smith, Southard, Stanford, Stanton, Stewart, Taliaferro, Thomas, Thompſon, A. Trigg, J. Trigg, Van Cortlandt, Van Neſs, Varnum, Van Horne, R. Williams—59.

NAYS.

Meſſrs. Boude, Campbell, Cutler, Dana, Davenport, Dennis, Euſtis, Foſter, Goddard, Griſwold, Grove, Haſtings, Hemphill, Henderſon, Hill, Huger, Lowndes, L. R. Morris, Peirce, Plater, Read, Rutledge, Stanley, Tallmage, Tenny, Tillinghaſt, Upham, Van Renſſelaer, Wadſworth, Walker, L. Williams, Woods—32.

TUESDAY, March 4, 1802.

The Houſe went into Committee of the whole on the naturalization bill; when after ſome progreſs made, the committee roſe, reported progreſs, and aſked leave to ſit again, which was granted.

The Virginia Gazette.

—RICHMOND—

FRIDAY, MARCH 12, 1802.

Extract of a letter from Capt. Callender of the brig Amelia, to his owners in Philadelphia dated

"Algeziras, Dec. 31.

"I have learned with pleaſure from capt. Bainbridge of the Eſſex frigate, the capture of a Tripolitan brig of 14 guns, and above 200 men, by the Philadelphia, capt. Barron. I have not yet learned where ſhe has been ſent. Commodore Dale is expected from before Tripoli, the firſt eaſterly wind. The Boſton, captain M'Neil, joined the Eſſex on this ſtation, four days ſince."

Capt. Floger, who arrived at Boſton the 19th ult. in 49 days from Leghorn, informs, that 4 days before he ſailed, Mr. Appleton, Conſul at Leghorn, received a letter from Naples, informing him that the Geo. Waſhington frigate, of 32 guns, would come round to Leghorn, to take the veſſels under convoy which were ready to ſail; and touch at Marſeilles for thoſe waiting there:—That Mr. Cathcart had received a letter from Tripoli, dated Dec. 23th mentioning, that the Baſhaw had purchaſed a Greek built ſhip, of 16 guns, which was to ſail in a few days on a cruiſe, in company with a brig of 12 guns. The Tripoline Admiral ſails in the ſhip. Mr. Cathcart's correſpondent adviſed the Americans to wait convoy, as he imagined the riſk very great.—That on the 28th December, Commodore Dale, in the Preſident of 44 guns, coming out Port Mahon ſtruck on a rock, and was at Toulon repairing;—That on the 12th December the Philadelphia of 44 guns, capt. Barron ſailed from Leghorn, on a cruiſe,—ſuppoſed off Naples: That the Eſſex was daily expected at Leghorn from Gibraltar:—And that on his paſſage home, Majorca being N. E. ſix leagues, capt. Folger was chaſed by a black ſhip ſhewing 16 guns, [which anſwered the deſcription of the above Tripoline ſhip] until Cape de Gat bore E. by N. four leagues, when a ſudden ſquall ſtruck the cruiſer and carried away his large topmaſt—on which he gave over chaſe, wore round and ſtood over for the Barbary coaſt. Keith's fleet was at Port Mahon, the 24th December, 1801.

CONFLAGRATION OF THE CAPE.

Captain Rogers, of the ſchooner Nelly, arrived at Baltimore on the 2d inſt. from Cape-Francois, which he left on the 14th February. The news by capt. R. is moſt diſtreſſing, both on account of the American property which has been deſtroyed at the Cape, and the ſcenes of horror and bloodſhed which have and will take place.

It appears that a diviſion of the French fleet, conſiſting of 14 ſail of ſhips of the line and 11 other ſhips of war, with about 20,000 men, arrived off the Cape on the 3d of Feb. when negociations were entered into by the commandants on each ſide, as to the terms on which the one party were to be permitted to land, and the tenure on which the other was to hold their liberty and property. During thoſe negociations, gen. Leclerc refuſed to recognize any ſuch character as a governor in the iſland, whoſe ſanction, it was pretended by the blacks, was wanting to permit him to land. This impolitic ſtep immediately roaſed the ſuſpicions of the negroes, who preremptorily forbid him to land, and threatened, if force were uſed, to repel it by force—to fire the town and murder the whites. On the evening of the following day, one of the ſhips hove in near the ſhore, and was fired on by the battery with red hot ſhot; which was at the ſame time the ſignal for the conflagration of the town. Fire and faggots lighted up the flames in many parts at the ſame time, and the place, during the night, exhibited a ſcene of horror and deſtruction beyond the power of deſcription, and equalled only by the dreadful fate it experienced in the year '92. Many maſſacres took place, and the brutal rage of the negroes ſpared neither age nor ſex, not of their own colour, except Americans, one only of whom (a young man from Charleſton) was killed. With one hand the black dæmons of ſlaughter were ſeen holding up the writhing infant, and hacking off its limbs with the ſword in the other. Thoſe that eſcaped the ſword were preſerved to witneſs more horrid ſenſations, being dragged by the negroes, (who evacuated the town during the fire, and after the demoliſhing of the forts) to their ſtrong places in the mountains, to ſerve as hoſtages, or to glut their fury. On the morning of the 15th, of 2000 houſes, 59 only had eſcaped the ravages of the flames, and their tenants, except a wretched few, on board the American ſhipping, were no where to be ſeen. Sugars and other property either roiled in liquid fire along the ſtreets, or mounted in cloudy volumes to the ſkies. All the plantations of the extenſive and once flouriſhing plain around the Cape, for many miles, exhibited the ſame tremendous appearance. Port-de-Paix was alſo conſumed, and every town in the Iſland, except Fort Dauphin, it was expected would ſhare a ſimilar fate with the Cape. Fort Dauphin had been preſerved, by another diviſion of the fleet taking poſſeſſion of it without moleſtation—four diviſions having arrived at different points of the iſland about the ſame time.—Beſides the two mentioned, one had gone into the bite of Leogane.

After the total evacuation of the Cape by the blacks, the French ſhipping hauled into the harbour and took poſſeſſion of the town and forts. Captain Rogers was permitted by the intendant to ſail on the 14th with diſpatches, we learn; but all other Americans were ſtill detained.

It was not known where Touſſaint was during the conflagration, but he was ſuppoſed to have been at the Cape *incog.* directing the hand of deſtruction. He is now at the head of his army in the mountains, in a place ſtrong by nature, and which he had for ſome time been fortifying and rendering impregnable, by art. To this ſtrong poſt he has retired with his mermydons; and from it will make his murderous excurſions and harraſs his aſſailants. Rigaud, his old and implacable rival, was with his enemies; and much was expected from his knowledge of the Iſland and his influence with the inhabitants of the ſouth.

It was reported at Cape Francois, that the fleet deſtined for Guadaloupe had arrived, and that the ſame ſcenes had occurred there.

[Balt. Fed. Gaz.]

Notwithſtanding all our aſſiduity, we were not ſo fortunate as to obtain an interview with captain Rogers yeſterday—Our account of the affair at the Cape was given from a variety of reports, ſome of which were neceſſarily incorrect; but which we have now the pleaſure of rendering more accurate, from a perſonal converſation with captain R. himſelf. It does not appear that general Leclerc's conduct was wanting in conciliation and policy—nor did the black commandant, Chriſtophe, threaten to maſſacre the whites if the French perſiſted in landing, although the ſavage fury of the negroes actually perpetrated the horrid deeds of blood related—The diviſion before Fort Dauphin was oppoſed, and ſome blood was ſpilt, but the place was taken before it had been ſet on fire. The name of the Charleſton gentleman killed at the Cape was Laticheſter. A great number who were confined in priſon were burnt to death, and the ſkeletons with the maſſacles on were to be ſeen after the fire had ſubſided. *(Ibid.)*

TO COVER,

The enſuing ſeaſon at my ſtable at Charlotteſville in the county of Albemarle,

THE HIGH BRED

Engliſh Stallion,

HAMILTON,

A blood bay, elegantly formed, near ſixteen hands high, eight years old laſt May;

WILL be let to mares at Twenty Dollars the ſeaſon, and Forty Dollars to inſure a mare's being with foal, for either notes will be expected with the mares payable on the 1ſt of January next. Ten Dollars caſh the ſingle leap, and in every inſtance Half a Dollar caſh to be paid to the Groom. The ſeaſon will commence the 15th of March, and end the 15th of Auguſt.

Cornelius Schenk.

February 22d, 1802.

PEDIGREE.

"This is to certify that the Bay Colt "was got by Highflyer, dam by Eclipſe, "from Young Cade, which was the dam "of Vauxhall (bred by Mr. Tatterſall) and "bought at Lord Groſvenor's ſale, 18th "May, 1795, then two years old."

(Signed)

"GROSVENOR. [Seal.]"

"31ſt January, 1797.

PEDIGREE CONTINUED.

"His great grand dam by the Bolton "Little John, great, great grand dam by "Mr. Durham's Favourite, by a ſon of the "Bald Galloway, great, great, great "grand dam, (the dam of Lord Portmore's "Daffodil) by a foreign horſe belonging to Sir Thomas Goſcoigne."

"Signed JUNIUS BAKER."

"N. B The Cade mare, the dam of "Vauxhall, was alſo the dam of Dul-"cinea, Mambrino, Cervantes and San-"cho, all firſt runners."—The foregoing is a copy of the original pedigree in my poſſeſſion, which came over with the Bay Colt, now called Hamilton.

Thomas Wilſon.

Richmond, Feb. 22, 1802. epts

☞ In Mr. Thomas Taylor's advertiſement, in the firſt page and 2d column of this day's paper, for Tueſday the ſeventeenth inſtant, read "Tueſday the SIXTEENTH inſtant!"

The High bred Engliſh Stallion

DION,

WAS imported from London laſt fall by John Hoomes, Eſq of the Bowling-Green; he was bred by Mr. Garſoth of Yorkſhire, and is undoubtedly a horſe of as pure blood as any in England. He was a good racer, and beat ſeveral of the beſt horſes there; among them the famous horſe Jonah, for the hand plate at York. In 1800 he run over the York courſe (4 miles) with Hambletonian, for the great ſubſcription, and although the greateſt poſſible exertion was made by the rider of Hambletonian (by whipping and ſpurring) yet he beat Dion only the neck, and actually refuſed to run with him for the gold cup at Doncaſter, a few days after, which Dion won with the greateſt eaſe, bearing ſeveral good horſes; this fact, the ſubſcriber has undoubted proof of, and ready to be ſhewn to any one that will apply. Dion at another time, beat Mr. Cookſon's ſir Harry, and ſir Thomas Gaſcoigne's Timothy, with ſeveral other horſes in high repute, and was conſidered a horſe of great ſpeed and bottom alſo; for his racing (in almoſt every inſtance) was 4 miles, he was lamed early and obliged to quit the turf.

Dion, now riſing ſeven years old, is one of the moſt compact horſes ever ſeen, he is a fine bay, with great beauty, and has probably the beſt feet, legs, back and quarters, that were ever combined in any one horſe; he meaſures exactly 15 hands two inches and a half under the ſtandard, has uncommon ſtrength and activity, and is likely to get capital race, ſaddle, or carriage horſes. Dion will ſtand the enſuing ſeaſon, which will commence on the firſt day of March next, and end the 10th day of Auguſt following, at Ampthill, (in Cheſterfield county) on James River, and within ſix miles of Richmond, to cover mares, at two and a half guineas the leap (to be paid at the ſtable door) Five Guineas the ſeaſon, and Ten for inſuring a mare to be with foal, to be returned if ſuch ſhould not be the caſe, and the mare remains the property of the perſon who put her to horſe, which may be diſcharged any time before the 10th of Auguſt next, by the payment of 20 dollars for the ſeaſon, and 40 dollars to inſure, with one dollar to the groom, in every inſtance; the beſt paſturage in the ſtate (until the ſeaſon is out) gratis, after which, ſhould any mares remain, half a dollar a week will be expected; grain will be furniſhed at the market price, and the greateſt attention paid to the mares, but no reſponſibility for accidents or eſcapes. Notes for Five Guineas the ſeaſon, and for ten to inſure, (payable as above-mentioned) will be expected with the mares.

ISHAM RANDOLPH.

Ampthill, February 20, 1802.

PEDIGREE.

Dion was bred by Mr. Garſoth, and got by Spadille [one of the beſt ſons of Highflyer] his dam Faith, by Pacolet, a grandſon of the Godolphin Arabian, his grand dam the famous Atalanta by Old Matchem, out of Laſs of the Mill, Oroonoko, Old Traveller, ſiſter to Clark's Laſs of the Mill, Mr. Holme's Miſs Makeleſs, by Young Greyhound, Old Partner, Woodcock, dam of the Lambton Miſs Dee, Croft's Bay Barb, grand dam of the Ancaſter Sterling, Makeleſs, Deſdemona's dam, Brimmer, Dicky Pierſon, ſon of Dodſworth, out of the Burton barb mare. The above pedigree is taken from the general ſtud book of England.

JOHN HOOMES.

By virtue of a decree of the worſhipful court of New-Kent County, will be ſold to the higheſt bidder, on a credit of twelve months, at New-Kent Court Houſe, on the ſecond Thurſday in April next, being Court day,

A Tract of Land,

Belonging to the eſtate of John Marris, dec'd. about two miles from the ſaid Court houſe, containing one hundred & fifty acres, more or leſs, and ſubject to the Widow's Dower, which will be alloted her before the day of ſale. Separate Bonds, with approved ſecurity, will be required of the purchaſer, by

The Commiſſioners.

March 2d, 1802.

ROBERT GAMBLE,

TAKES this method to inform his friends, in the Country, and the public in general.—That he is provided with a convenient WARE HOUSE, for the reception of Country Produce. Thoſe who may confide to his care, their Flour, &c. may rely on his endeavors to obtain the beſt Prices the Market will admit. His Charges will be moderate, and he flatters himſelf, his conduct will prove ſatisfactory.

Richmond, March 8, 1802. tf

Diſſolution of Partnerſhip.

THE public are hereby notified, that the Partnerſhip in Trade, formerly carried on by David Buchanan, James Dunlop, and Robert Pollok, under the firms of

BUCHANAN, DUNLOP, & Co.
In Peterſburg,
DUNLOP, POLLOK, & Co.
In Manchester, and
ROBERT POLLOK, & Co.
In Richmond,

Was diſſolved, on the 31ſt day of Auguſt laſt.

Mr. James Dunlop will pay and receive all debts due by and to the concern, at Peterſburg, as will Mr. Robert Pollok, thoſe at Richmond and Manchester.

David Buchanan,
a per his Attorney in fact,
Robert Pollok.
James Dunlop.
Robert Pollok.

Peterſburg, 8th Oct. 1801.

The Subſcriber, having taken the

Raleigh Tavern,

IN the City of Williamſburg, under his own management; and having laid in a large ſupply of the beſt wines and other LIQUORS, is encouraged to ſuppoſe, from his former ſucceſs in this line of buſineſs, that he ſhall be able to give complete ſatisfaction to travellers and others, who ſhall reſort to his houſe for entertainment. He alſo with pleaſure informs the public, that owing to the fall which has taken place in the price of moſt of the productions of the country, he is enabled to reduce the Stage Rates to what they formerly were. Baggage carried as uſual, at the riſque of the owner.

Philip Moody.

Williamſburg, Dec. 22, 1801.

NOTICE.

The Subſcribers have formed a Commercial connexion, under the firm of

Long and Crews.

THEY will be principally concerned in the purchaſe of Country Produce.

Should any buſineſs be offered in the Commiſſion Line, it will meet due attention from *Thomas Crews*, reſiding in Lynchburg, and *Will. Long*, here.

Their Office is on the ſecond ſtory above Meſſrs. ELLIS & ALLAN's Store.

Will. Long,
Thomas Crews.

Richmond, Jan. 18, 1802.

KNOWSLEY,

The moſt elegant and high formed Engliſh Horſe, 15 hands 3 inches high, a fine bay, 6 years old laſt May, in great perfection, and as to muſcular ſtrength and beauty not inferior to any horſe in the ſtate, which will be readily acknowledged by thoſe who will take a fair and impartial examination of him, full of vigour, and entirely clear of blemiſh—will ſtand at my ſtable on *Sandy Point* the preſent ſeaſon; and will cover Mares at SIX GUINEAS, which may be diſcharged by the payment of TWENTY DOLLARS on or before the 10th day of Auguſt next: TEN GUINEAS to inſure a colt, and THREE by the Leap, with One Dollar to the Groom at the ſtable door for each Mare. Mares may be fed at the market price of grain, in manner and quantity directed by the proprietors: Servants will be boarded without charge, and paſturage ſupplied *gratis*, equal in extent and goodneſs (if not ſuperior) to any in the commonwealth, and laid out in different apartments, ſo as to ſuit Mares in foal, thoſe that have foals, and all others. Here gentlemen will find it greatly to their intereſt to avail themſelves of ſuch advantages, independent of the high conſideration of raiſing horſes from ſo fine a ſtock. This horſe has coſt me on landing in this country upwards of ſeven hundred pounds ſterling, which can be ſeen by reference to papers in my hands; and even at this price it was with difficulty he could be obtained, for my agent, a gentleman of great veracity, writes me he could have ſold him for 170 Guineas more than the original purchaſe, which evidently proves the high eſtimation he was in.

Pedigree, given by Lord Derby in the following words, viz. "I do hereby certify, "that the bay horſe called KNOWS-"LEY, late the property of the Prince "of Wales, was bred by me. He was "got by Sir Peter Teazle, out of Capel-"la, and was in years old laſt May, and "no more.

(Signed) "DERBY. [Seal.]
"Knowsley, June 15, 1801."

CAPELLA was bred by general Parker, foaled in 1771, and got by Herod—See General Stud Book, page 40. Sir Peter Teazle was got by Highflyer, in 1784—See ſame book, page 182. Highflyer was got by Herod—See page 201—And ſo on he may be traced through a noble line of ancestors for ages paſt, without a ſingle flaw in his genealogy, either on the male or female ſide.

This extraordinary horſe ran often with great credit at two years old, and at three proved ſucceſsful; and ſo continued until the laſt of the year 1800. In 1801 he was purchaſed for me, and ſent to Virginia.—In 1798 he won a ſweepſtakes of 20 guineas each, for three year olds, 8 ſubſcribers, once round the ground, beating Mr. Pierce's b. c. by Walnut, Sir H.T. Vane's Puſh forward, Sir H. Williamſon's Stripling, Mr. Fletcher's g c. Camperdown, Mr. G. Crompton's c. Baſto, and Lord A. Hamilton's b. g. by Spadille, out of Snow Drop. See Calendar for 1798. He alſo won the Members' Plate of 50 guineas for three and four year olds, beating Lord Derby's four year old colt by Diomed, five to one on Knowſley, who was then Mr. Field's property. See Calendar for 1798. He alſo won a ſweepſtake for three year olds, beating Mr. Garforth's b. c. by Spadille, and Lord A. Hamilton's b. c. by Spadille. See Calender for 1799.

In May, 1799, York. On Tueſday May 28, a ſweepſtakes of 20 guineas each, (7 ſubſcribers) then the property of Mr. Walker, was won by Knowſley, beating Lord Fitzwilliam's ch. h. Wonder, five years old, Lord Hamilton's ch. h. by Walnut, Sir Thomas Gaſcoigne's Maid of the Mill, and John Robinſon's b. c. Abraham Newland. On Thurſday the 30th following, he alſo won the Stand Plate, of 50 guineas, for four year olds, beating Lord A. Hamilton's b. c. by Spadille, Mr. Garforth's mare Caroline, 6 years old, Lord Belhaven's ch. h. Maſter Robert, 6 years old, Mr Wentworth's Barnaby, and Mr J. Anſon's gr. h. Little Scot, 5 years old.—See Calender for 1799.

In June, 1800, (Guildford) the Prince of Wales owned him, and won the King's Plate for 4 year olds, of 100 guineas—10 ſtone 4 lbs. four mile heats, and beat Lord Donegall's b. h. by Pot 8 o's.—See Calendar for 1800, page 35.

Wincheſter, July 8. His Majeſty's Plate of 100 guineas was run for and won by Knowſley, beating Lord Donegall's b. h. by Pot 8 o's, 5 years old, and Sir F. Evelyn's, b. h. Aſparagus, 5 years old, 6 to 4 on Knowſley.

Lewes, Auguſt 12, 1800. The King's Plate of 100 guineas, four mile heats, was one by Knowſley, beating Lord Donegall's ch. c. Flugleman; four to one on Knowſley Thurſday following he one a ſubſcription of 10 guineas each, beating Mr. Durand's Belleſſima, and Mr. Ladbroke's Humbug. See Calendar for 1800—78 and 79.

Litchfield, on Thurſday September 6, he won the King's Plate of 100 guineas, three mile heats, for 5 year olds, carrying 8 ſtone 7 lbs. beating Mr. Heming's b. h. Ploro, ten to one on Knowſley.

Notwithſtanding theſe evidences of Knowſley's ſuperior worth, yet it is my will that gentlemen ſhould be ſtill further ſatisfied by a perſonal view of him; it is alſo my deſire that thoſe who are inclined to ſpeak and act candidly, would viſit me in the Spring, and take a ride over the paſtures, that they may be ſatisfied that nothing here aſſerted is exaggerated.

WILLIAM LIGHTFOOT.

February 1, 1802.

N. B. I will not be anſwerable for involuntary eſcapes or accidents.

UNITED STATES:
Fourth Circuit, Eaſtern Diſtrict of Virginia.
December Term, 1801.

Lewis Morgan and Heſter Morgan, executor and executrix of Benjamin Morgan, dec'd. *Plaintiffs,*
AGAINST
Alexander Banks, adminiſtrator with the will annexed of Thomas Banks, deceaſed, who was the ſurviving executor of Jacob Rubſamen, deceaſed, David Rubſamen, Jacob Balheſer Rubſamen, and Maria Catharine Rubſamen, legatees of the ſaid Jacob Rubſamen, dec'd. *Defendants.*
} IN CHANCERY.

THE defendants David Rubſamen, Jacob Balheſer Rubſamen, and Maria Catharine Rubſamen, not having entered their appearance and given ſecurity according to the rule of this court, and it appearing to the ſatisfaction of the court that they are not inhabitants of this diſtrict: On the motion of the plaintiffs, by their counſel, *It is ordered*, That they ſeverally appear here on the firſt day of the next court, and anſwer the bill of the plaintiffs, and that a copy of this order be forthwith inſerted in ſome one of the newſpapers publiſhed in the city of Richmond, for three weeks ſucceſſively, and poſted up at the front door of the Capitol in the ſaid city.

A Copy—Teſte,
WILLIAM MARSHALL, c. c.

Negroes for Sale.

In purſuance of a decree of the hon. the high court of chancery, in the ſuit of James Hunter's executor's againſt the repreſentatives of Robert Coleman and others, will be expoſed to ſale, at Martinſburg, in the county of Berkeley, on Monday the 22d day of March, being court day,

SUNDRY SLAVES,

The property of the late Nath. Pendleton, Eſq. dec. at auction for ready money, to ſatisfy the claim of the plaintiffs againſt the ſaid Robert Coleman and others.

Edward Smith,
Richard K. Meade,
Thomas Maſſie,
} *Commiſſioners*

Feb. 24, 1802.

SEEDS.

Minton Collins,

Reſpectfully informs his friends and the public, that he has lately received, from the Northern States, a very general aſſortment of

GRASS SEEDS;

And from London, via New-York, a freſh aſſortment of

GARDEN SEEDS,

Which may be had at his SEED STORE, for CASH only, viz.

Red & White Clover,
Trefoile or yellow ditto,
Lucern & Timothy ſeed,
Burnet & Ryegraſs ditto,
Eluegraſs, Burden graſs, & Saintfoine,
Furz or Whin ſeed,
Spring Tares, or Vetches,
Hemp, Flax, Rape, Muſtard, Canary, and Spinage,
Large Norfolk and Summer Turnips,
Early ſalmon, ſhort-top and white Turnip Radiſh ſeed,
Early Frame, Hotſpur, Charlton, Marrowfat, Spaniſh Morotto, & Prolific Peas,
Large Windſor, long pod and Maſſagan Beans,
Blood red Beet, and Solid Celery.
Early York, Sugar-Loaf, and Battersea Cabbage ſeed,
Green and Yellow Savoy do.
Large Winter, Scotch, Dutch & Madeira Cabbage,
Red Dutch to pickle,
Bruſſels Sprouts and Borecole,
Early and late Cauliflower,
Green, purple and white Brocolie,
Salſafie & Narſturtium,
White and green Coſs Lettuce,
Indive Ice Lettuce,
Roman, Cabbage, Brown Dutch, & Grand Admiral Lettuce,
Corn Sallad,
Early Frame & long green Cucumber,
Madeira, Silver ſkin, Red and Welſh Onion,
Red & Orange Carrot,
Large Parſnip,
White and Green Aſparagus,
Garden Creſs, and Peppergraſs,

With an aſſortment of Flower Seeds; Glaſs Flower Bottles; ſome Painted Flower Pots, and Beachers for Chimney Ornaments, and Red Garden Pots, &c.

A TREATISE on GARDENING, by a Native of this State.

Richmond, Dec. 31, 1801. (tf)

United States Fourth Circuit,
Eaſtern Diſtrict of Virginia.
December term, 1801.

Mary Douglaſs, plaintiff,
Againſt
Thomas Blane & James Pitton, jun. deſts.
} *In Chancery.*

THE defendant Thomas Blane, not having entered his appearance and given ſecurity according to the rules of this court, and it appearing to the ſatisfaction of the court, that he is not an inhabitant of this diſtrict, on the motion of the plaintiff, by his counſel, *It is ordered*, that the ſaid defendant do appear here on the firſt day of the next court, and anſwer the bill of the plaintiff; and that a copy of this order be forthwith inſerted in ſome one of the newſpapers publiſhed in the city of Richmond for two months ſucceſſively, and poſted up at the front door of the capitol, in the ſaid city.

A Copy Teſte,
Wm. MARSHALL, Clerk.

By virtue of two deeds of truſt executed to the ſubſcriber by William Mead, will be expoſed to ſale, at public auction, for ready money, on the premiſes, for the purpoſe of diſcharging a debt due to Thomas Goodwin, Eſq. of Fredericksburg, and a debt due to Mr. Joſeph Sandidge of Louiſa; on Saturday the 27th day of March next, the

Tract of Land,

WHEREON the ſaid Mead now reſides, on Contrary River, in Louiſa county, containing 216 acres, more or leſs, and is adjoining the lands of George and Joſeph Boxley, Walter Lewis, William Kimbrough, John Burrafs, John Gibſon and Daniel Ford.

SAMUEL OVERTON, jun. *Truſtee*
Louiſa county, Feb. 8, 1802. tdſ.

William Temple,

Has Imported by the laſt arrivals from London & Liverpool,

A GENERAL ASSORTMENT OF

MERCHANDIZE,

Which he will diſpoſe of low, by the PIECE OR PACKAGE.

He has alſo juſt received the following Articles, for ſale.

5 PIPES,
10 Hogſheads,
8 Qr. Caſks,
} Genuine Old Port WINE.

3 Pipes Medeira Wine;
1 Hhd. Old Antigua Rum, 4th Proof;
10 Tierces London Porter;
20 Hhds. Sugar;
50 Bags Coffee;
700 Sacks Liverpool Salt.

Richmond, Nov. 30, 1801.

CASH
GIVEN FOR
TOBACCO,

AT the ſecond houſe below the Eagle Tavern, by

John Richard, & Co.

Richmond, Nov. 19, 1801.

UNITED STATES:
Fourth Circuit, Eaſtern Diſtrict of Virginia.
December Term, 1801.

James Bonney, adminiſtrator of Benjamin Bonney, deceaſed, *Pl'ff.*
AGAINST
Alexander Banks adminiſtrator with the will annexed of Thomas Banks, deceaſed, who was the ſurviving executor of Jacob Rubſamen, dec'd. David Rubſamen, Jacob Balheſer Rubſamen, and Maria Catharine Rubſamen, legatees of the ſaid Jacob Rubſamen, deceaſed, *Defendants.*
} IN CHANCERY.

THE defendants David Rubſamen, Jacob Balheſer Rubſamen, and Maria Catharine Rubſamen, not having entered their appearance and given ſecurity according to the rule of this court, and it appearing to the ſatisfaction of the court that they are not inhabitants of this diſtrict: On the motion of the plaintiffs, by their counſel, *It is ordered*, That they ſeverally appear here on the firſt day of the next court, and anſwer the bill of the plaintiff, and that a copy of this order be forthwith inſerted in ſome one of the newſpapers publiſhed in the city of Richmond, for three weeks ſucceſſively, and poſted up at the front door of the Capitol in the ſaid city.

A Copy—Teſte,
WILLIAM MARSHALL, c. c.
ep3w.

SPORTS OF THE TURF!

NEW-MARKET.

In conſequence of the elections for the different counties in this ſtate coming on the 27th day of April, at which time the New-Market Races are advertiſed, and from a deſire of many gentlemen of the turf alſo, I am compelled to alter the ſame to the third Wednesday in May, at which time they will certainly commence, agreeable to the former tenor, viz:

FIRST day, a Sweepſtakes, by three year old colts and fillies, carrying each 86lbs. two mile heats, entrance One Hundred Dollars, half forfeit. This ſubſcription will be kept open until the 25th day of April, and no longer. Entrance to be made by letter or perſonal application to the ſubſcriber. Should more than ſix ſtart, the entrance money of the ſecond beſt will be returned.

Second day, a purſe of 400 dollars will be run for, four mile heats, entrance 30 dollars. Weights as heretofore eſtabliſhed.

Third day, a purſe of 200 dollars will be run for, two mile heats, entrance 15 dollars.

And the fourth day, a Sweepſtakes, by three and four years old colts and fillies, the former carrying 86lb. and the latter 100lb. two mile heats, entrance 100 dollars. This ſubſcription will be cloſed the evening of the third day's race; and if five or more nags ſtart, the entrance money of the ſecond beſt will be returned.

Good ſtables and litter furniſhed for race horſes GRATIS.

STIRLING GARY,
Keeper of the Courſe.

February 14, 1802.

THE Subſcriber having taken the above Courſe for two years, has furniſhed himſelf with good beds, as well as ſtables, together with oſtlers and ſervants of a proper deſcription; alſo, liquors of a ſuperior quality. He flatters himſelf from his experience, and a deſire to pleaſe, in the above buſineſs, to give general and complete ſatisfaction.

TO BE SOLD,

At Mr. Zachariah Brooke's Tavern, in Manchester, on Thurſday the 18th day of March next, about

Twenty Slaves,

CONSISTING of men, women, boys and girls, very likely and valuable, among whom are ſome experienced watermen, and valuable houſe ſervants: and, on Monday the twenty-ſecond day of next month, at Dr. Philip Turpins, in Cheſterfield county, a variety of

Genteel Furniture,

Conſiſting of beds, chairs, tables, &c. &c. a number of well choſen books, ſome plantation utenſils, and ſome ſtock of different kinds, belonging to the eſtate of the late Daniel M'Callum, dec'd.

Terms of ſale, ready money, but approved acceptances of merchants in Manchester or Richmond, payable in ſixty days, with intereſt from the day of ſale, for all ſums above thirty dollars, will be received in payment.

JOSEPH FRIEND,
Surviving Executor.

Manchester, Feb. 22, 1802. eptdſ

VIRGINIA:
In the High Court of Chancery.

Between
DAVID ROSS, Plaintiff,
And
JOHN OLD, Defendant.

THIS cauſe came on the twenty-fifth day of May, in the year of our Lord one thouſand eight hundred and one, to be heard on the bill, anſwer, exhibits and examinations of witneſſes, and was argued by counſel; on conſideration whereof the court doth adjudge and decree: unleſs the defendant do on or before the twenty-fifth day of November next, pay unto the plaintiff, two hundred and ſixty ſeven pounds, thirteen ſhillings and ten pence, of current money of Virginia, with intereſt thereupon to be computed after the rate of five per centum per annum, from the twenty third day of April, one thouſand ſeven hundred and eighty-five, until payment and the coſt expended by the plaintiff, in the proſecution of this ſuit, that the ſaid defendant and his heirs, and all perſons claiming under him, be from thenceforth barred and foreclоſed of all equity and right, to redeem the ſeveral tracts or parcels of land mentioned in the indenture of mortgage, among the exhibits made the twenty third day of April, one thouſand ſeven hundred and eighty-five, between John Old of the one part, and David Ross of the other part: and in caſe of default in the payment of the ſaid principal money, intereſts and coſts, at the time aforeſaid, that David S. Garland, John Wyatt, George Dillard and John Chriſtian, or any two of them, after giving three weeks previous notice, in one or more of the Richmond newſpapers, do expoſe to public ſale, by auction, for ready money, the lands in the ſaid indenture mentioned and out of the proceeds of ſuch ſale, pay unto the plaintiff, the ſaid principal money, intereſts and coſts, and the ſurplus, if any after deducting the expences attending the ſale, pay unto the defendant, and make report thereof to the court.

A Copy—Teſte
PETER TINSLEY.

	Dols.	Cts.
Plaintiffs coſts clerk and ſheriffs fees,	16	97
Lawyers fee and tax,	17	66
	34	63

IN obedience to the foregoing decree, we will ſell, at public ſale, at Amherſt court houſe, for ready money, on the 25th day of March next, (it being court day) the lands in the ſaid decree referred unto, which were laid by the Mortgage to be 120 acres more or leſs, in the great bent of James river, Amherſt county, purchaſed by the ſaid John Old, from George Hilton; alſo another piece or parcel of land, containing five acres, commonly called the Mote-Bank, purchaſed from ſaid George Hilton. This laſt was inſerted, as we are informed by the ſaid John Old, for erecting a furnace for making iron, for which purpoſe it is thought to be well adapted. The ſaid mortgage alſo conveys all the entries made by ſaid Old, joining the ſaid land, which will be ſold at the ſame time and place.

David S. Garland.
George Dillard.
John Chriſtian.

January 30, 1802. tdſ

SECOND NOTICE,

In the caſe of JOHN CARTER, BANKRUPT.

WHEREAS a commiſſion of bankrupt founded upon the ſtatute of the Congreſs of the United States, paſſed the fourth day of April, in the year one thouſand eight hundred, entituled, "An Act "to eſtabliſh an uniform Syſtem of Bankruptcy throughout the United States," has been awarded and iſſued againſt *John Carter*, of Pittſylvania county, in the diſtrict of Virginia, *Merchant*, and he has been declared *Bankrupt*: and he is hereby required to ſurrender himſelf to the commiſſioners in the ſaid commiſſion named, or the major part of them, on the third and thirty-firſt days of March, and on the third day of April, next enſuing, at eleven of the Clock in the forenoon of each day, at the office of the *Undерſigned*, lower end of Bollingbrook-ſtreet, in the town of Peterſburg, and make a full and true diſcovery and diſcloſure of his eſtate, real and perſonal, of every nature and deſcription, to which he may be entitled either in law or equity, when and where his creditors are to come prepared to prove their debts, at the ſecond meeting to chooſe aſſignees, and at the laſt meeting the ſaid Bankrupt is required to ſubmit to his examination.

All perſons indebted to the ſaid Bankrupt, or who have any of his effects, are not to pay or deliver the ſame, but to whom the commiſſioners ſhall appoint.

CONRADE WEBB,
Solicitor to the Commiſſion.

Commiſſioner's Office, Peterſburg, 20th February, 1802.
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A FEW COPIES OF

Henning's Juſtice,

May be had at this Office, and of Mr. Pumfrey, Book-Binder and Stationer.